

“Educational Stability 101”

Improving Educational Outcomes for Children in Foster Care
September 21, 2016

Fostering Connections Act of 2008

□ Best Interest Determination Factors

- The child's age;
- The school which the child's siblings attend;
- The child's experience at the school he or she last attended;
- The child's academic needs;
- The child's emotional needs;
- Any other special needs of the child;
- Continuity of Instruction;
- Length of expected stay at current placement;
- Likely location of the child's future permanent placement;
- Time remaining in the school year
- Distance, time, and complexity of commute and the impact it may have on the child's education and other child-centered transportation-related factors; and
- The safety of the child.



Best Interest Considerations for McKinney-Vento Student's School Placement

- Best interest consideration:
 - Age;
 - School siblings attend;
 - Experiences at school of origin;
 - Academic needs;
 - Emotional needs;
 - Special needs of family;
 - Continuity of instruction;
 - Length of stay in shelter;
 - Future permanent housing;
 - Time remaining in school year;
 - Distance of commute; and
 - Safety of the child

Foster Care in Title I, Part A

State Title I Plans must describe and ensure collaboration with the State child welfare agency to ensure educational stability of children and youth in foster care.

Foster Care in Title I, Part A

- Assurances include:
 - Foster youth are to be enrolled or remain in their school of origin.
 - Determination will be based on best interest factors.

Foster Care in Title I, Part A

- If child does not remain in school of origin, the child will be immediately enrolled in the new school.
- Local Title I plans must contain assurances that the LEA will:
 - Collaborate with the state or local child welfare agency.
 - Develop and implement procedures for how: transportation and maintaining the child's school of origin will be provided, arranged and funded, when it is in their best interest.

Foster Care in Title I, Part A

Ensure foster youth who need transportation to the school of origin promptly receive it in a cost-effective manner and in accordance with the child welfare agency.

Transportation under McKinney-Vento

13A.05.09.06 Student Transportation.

A. Each local school system shall:

(1) Promptly provide homeless students with transportation; and

(2) Notify the student and parent of the availability of transportation services.



Transportation under McKinney-Vento

- B. If the student requires transportation to attend the school that is determined to be in the student's best interest, transportation shall be provided:
 - (1) As long as the child or youth attends the school of origin and remains homeless; or
 - (2) Until the end of the current school year, if the child becomes permanently housed during the school year.



Awaiting Foster Care Placement

COMAR 13A.05.09.02

- (a) "Child awaiting foster care placement" in Maryland means:
- (i) A child placed out of the child's home pursuant to a shelter care order by the Department of Social Services or the Department of Juvenile Services;
 - (ii) A child placed out of the child's home pursuant to a voluntary placement agreement documented by the Department of Social Services; or

Awaiting Foster Care Placement

COMAR 13A.05.09.02

(iii) A child committed to or placed in the care and custody of the Department of Social Services or the Department of Juvenile Services, and who is placed into a temporary, short-term placement of not longer than 90 school days, such as in an emergency or shelter facility, a diagnostic center, a psychiatric respite facility, an emergency foster home, or another temporary, short-term placement not described in §B(2)(b) of this regulation.

Collaborative Efforts

- ❑ Collaboration with ALL organizations and entities, through MV or new relationships through Fostering Connections
- ❑ County based MOUs
- ❑ Building relationships across agencies
- ❑ Formalizing foster care and local school system contacts in School Districts
- ❑ Joint training

Fostering Connections Act of 2008

- ✓ Requires that child welfare agencies work in partnership with local school districts to allow the youth to remain in the home school (“*school of origin*”) unless it is in the child’s best interest to change schools.
- ✓ *Fostering Connections* also requires that, when a transfer in school is need, the child welfare agencies promptly enroll children, who are in there care, into school and promptly facilitate the process to ensure that are records are transfer to the new school.
- ✓ Also in accordance with Fostering Connections, child welfare agencies are authorized to use certain federal funds to pay for reasonable expenses to travel to and from the child’s home school.



Fostering Connections Act of 2008

- COMAR 07.02.11.12 (B)- School Stability
 - ❖ Requires the local department of social services to ensure school stability for children and youth who are placed in the custody of, committed to or otherwise placed by the local department of social services in out-of-home placement by determining if it's in the best interest of the youth to continue the child's education at the school the child last attended prior to the most recent change in residential placement.



Fostering Connections and McKinney-Vento

Joint Training

- Local Education Agencies (LEA)**
- Local Departments of Social Services (LDSS)**
- Administrative Office of the Courts**
- Foster Care Court Improvement Project**
- Public and Private Advocate Agencies**

Educational Stability & The Courts



Educational Checklist for Children and Youth in Foster Care

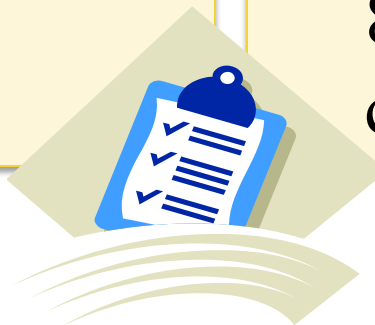
- ❑ In 2011, the Foster Care Court Improvement Project (FCCIP) attended a national summit: *Child Welfare, Education and the Court*.
- ❑ Summit yielded areas where the court and other stakeholders can contribute to educational stability:
- ❑ Address educational stability during the court proceedings.



Educational Checklist for Children and Youth in Foster Care

□ Maryland's FCCIP, in collaboration with numerous agencies developed a two page checklist to assist judges in collecting data on foster care children success in school

□ In 2014, the General Assembly of Maryland passed and was signed into law in Courts and Judicial Proceedings Article of the Annotated Code, §3-816.4 the use of this checklist.



Where We Are Now

- ❑ Conferencing with DHR
- ❑ Survey LEAs on transportation reimbursement
- ❑ LEAs input on reimbursement
 - Possible use of a default funding equation
- ❑ Developing COMAR regulation on foster care/educational stability; set meetings with LEAs and Idss; developing guidelines for Foster Care Point of Contact for LEAs and removal of ‘awaiting foster care placement’ as directed by ESSA

Where We Are Now

High Priority Areas

- Transportation - Role in providing transportation to school of origin
- Additional costs for transportation – what LEA would otherwise spend to transport a student to assigned school and cost of transporting a foster care child to school of origin.
- Collaboration with local departments of social services
- Coordinating with child welfare agency (CWA)
Point of Contact (POC)

Where We Are Now

Role of State Education Agency

Coordinating with the State CWA POC (Dept. of Human Resources)

Joint State Guidance for implementation of Title I provisions

- Uniform criteria on best interest
- Transportation procedures and guidelines

Facilitate data sharing consistent with FERPA

Professional Development

State guidance detailing the roles and responsibilities of SEA POC

Where We Are Now

Role of LEA POC

Collaborating with CWA POC

Leading the development of a Best Interest Determination

Documenting best interest determination

Facilitating transfer of school records and immediate enrollment

Data sharing consistent with FERPA

Developing and coordinating local transportation procedures

Where We Are Now

Role of LEA POC

Managing best interest determinations and transportation costs disputes

Ensuring foster care children are enrolled and regular attendance

Provide professional development and training to school staff on Title I provisions and educational needs of children in foster care

SEE NON-REGULATORY GUIDANCE

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